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***Property Owners Sentenced For Building and Zoning Code Violations
San Diego City Attorney Successfully Enforces Codes Through Criminal
Prosecution***

If you own property in the City of San Diego and you plan to make structural improvements to the property, you must have proper building and zoning permits, or you will be prosecuted. That was the message from a recent case involving Bay Park homeowners who did not properly maintain their property.

On August 13, 1998, San Diego Municipal Court Judge Jacqueline Stern found Gary and Nancy Rock guilty of fourteen violations of the San Diego Municipal Code, for maintaining their property without the proper building, electrical, plumbing, and mechanical permits and in violation of zoning ordinances. Deputy City Attorney Tricia Johnson of the City Attorney's Code Enforcement Unit filed criminal charges against the Rocks after an investigation by the City of San Diego's Neighborhood Code Compliance Department.

At trial, witnesses from the Neighborhood Code Compliance Department testified that the Rocks ran the drain for their washing machine directly into the alley behind their home at 3572 Princeton Avenue. The dirty, soapy water from the washing machine emptied into a storm drain and out to the ocean. Witnesses also explained that the Rocks had maintained a room addition, garage, and solid walls, which were built without obtaining the proper plumbing, electrical, and mechanical permits. The house is in a residential zone in which structures cannot be built in setback areas. The evidence established that the Rocks had built in the setback area.

After finding each defendant guilty of committing fourteen separate crimes, the Court sentenced the defendants to three years of probation on the condition that they pay \$2200 in fines plus the costs of the investigation. The Court also ordered the Rocks to bring their property into compliance with the law to the satisfaction of City inspectors, or they will serve 15 days in jail.

"This is a case about the health and safety of San Diegans," San Diego City Attorney Casey Gwinn said. "Building and zoning code violations affect everyone. Plumbing violations can cause flooding and other damage to neighboring properties. Electrical and mechanical violations can cause fires. Building violations can create a hazard in an earthquake or other disaster. And environmental violations, like emptying dirty water from a washing machine into a storm drain, can pollute our bays and our ocean. Building and zoning code laws are for the protection of the public, and we will not tolerate scofflaws who place others in the public at risk of harm from improperly constructed buildings."

The City Attorney's Code Enforcement Unit is committed to enforcing the laws governing minimum building, electrical, plumbing, and mechanical standards. The Unit consists of twelve staff members, who vigorously enforce these laws in partnership with Neighborhood Code Compliance.

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